

VIRGINIA:

IN THE CIRCUIT COURT OF THE CITY OF CHESAPEAKE

COMMONWEALTH OF VIRGINIA)	CASE NOS. CR03-3089, CR03-3090, CR03-3091
VERSUS)	
LEE BOYD MALVO a/k/a)	INDICTMENT - CAPITAL MURDER (2
John Lee Malvo)	Counts) and USING A FIREARM IN THE
		COMMISSION OF A FELONY

JURY TRIAL – Day 21

On December 15, 2003, Robert F. Horan, Jr., the Commonwealth's Attorney, Raymond Morrogh, the Deputy Commonwealth's Attorney, LEE BOYD MALVO a/k/a John Lee Malvo, the Defendant, and Michael Arif and Craig Cooley, co-counsel for the Defendant, appeared before this Court. The Defendant is indicted for the felonies of CAPITAL MURDER (2 Counts) and USING A FIREARM IN THE COMMISSION OF A FELONY and he appeared while in custody.

The Jury was recalled and heard the remainder of the evidence presented on behalf of the Defendant and rebuttal evidence presented by the Commonwealth.

The Court, being of the opinion that this case could not be completed today, admonished the jurors as to their behavior during the recess and continued this case to December 16, 2003, at 10:00 a.m.

The Court denied the Defendant's motion to strike the testimony of Dr. Stanton Samenow.

The Defendant was remanded to the custody of the Sheriff.

Entered on December 15, 2003.

LSI

JANE MARUM ROUSH
JUDGE DESIGNATE